

ARTICLE \_\_: To see if the Town will vote to amend Section VII of the Zoning Bylaw in order to establish the Edgemere Village Overlay District, substantially as follows:

**Part I:** Insert the following Section VII.O, Edgemere Village Overlay District

**O. EDMERERE VILLAGE OVERLAY DISTRICT**

1. Purposes and Intent

The purpose of the Edgemere Village Overlay District is to provide for neighborhood business and residential uses at a scale appropriate for a small village area.

2. Applicability

The Edgemere Village Overlay District applies to the Limited Business District on Route 20, as shown on the EDMERERE VILLAGE OVERLAY DISTRICT map dated August 31, 2005, on file with the Town Clerk. The Edgemere Village Overlay District Map amends and is hereby made part of the Official Zoning Map of the Town of Shrewsbury. As an overlay, it provides for flexible development options that do not exist in the underlying district.

3. Use Regulations

a. The following uses are permitted in the Edgemere Village Overlay District:

- 1) All uses permitted in the Limited Business District
- 2) Dwelling units accessory to a commercial use, subject to O(5) below.
- 3) Accessory commercial uses

b. Uses and Structures Allowed by Special Permit

The Planning Board may grant a Special Permit for the following uses:

- 1) All uses allowed by Special Permit in the Limited Business District, except where prohibited in Section O(3)(c ) below.
- 2) Accessory uses customarily incidental to a Special Permitted use

c. Prohibited Uses

- 1) All uses prohibited in the Limited Business District.
- 2) Banking machines, as stand-alone structures or where public access is available via drive-up windows or from outside a building
- 3) Funeral homes

- 4) Building materials salesrooms
  - 5) Overnight storage, parking, or garaging of commercial vehicles of more than 14,000 pounds gross vehicle weight
  - 6) Any use not explicitly provided for in this Bylaw.
  - d. Use variances shall not be granted in the Edgemere Village Overlay District.
4. Dimensional and Intensity Regulations
- a. Uses in the Edgemere Village Overlay District shall comply with the following requirements:
    - 1) Minimum Lot Area:

Dwellings accessory to commercial use:	16,000 square feet
All other uses	12,500 square feet
    - 2) Minimum Frontage: 100 feet
    - 3) Yard Setbacks
      - (a) Minimum Front Yard Setback: 20 feet
      - (b) Minimum Side Yard Setback: None, except 50 feet abutting a residential district
      - (c) Minimum Rear Yard Setback: 20 feet, but 50 feet abutting a residential district
    - 4) Minimum Open Space % Lot Area: 10%
    - 5) Maximum Lot Coverage: 50%
    - 6) Maximum Height: 35 feet
    - 7) Maximum Number of Stories: 2.5 stories
5. Development Regulations
- a. Dwelling units accessory to a commercial use are allowed above the ground floor of a building occupied by a principal commercial use, provided that the building is located on a lot of at least 16,000 square feet and at least 65% of the ground floor net leasable area is used for commercial purposes. The dwellings must be accessed by an entrance separate and distinct from commercial uses. The maximum number of dwelling units accessory to a commercial use shall not exceed 1 unit per 3,000 square feet of lot area.
  - b. No off-street parking shall be permitted in the front yard setback or in front of any building on a lot with frontage on Route 20, except that for additions or alterations to a building existing on the effective date of this bylaw, the

Planning Board may grant a Special Permit to retain use of an existing off-street parking area that does not comply. At least 15 feet of the front yard setback shall be landscaped with indigenous, non-invasive species suited for highway exposure, as determined by the Planning Board. Further, five feet of the required setback shall be designed as a paved sidewalk if no sidewalk exists or if no space for a sidewalk can be accommodated within the existing public right of way.

- c. If parking for at least 20 vehicles is provided at grade, but under the second story of the principal building and said the parking is located so as not to be visible from the front façade of the building and at least 25 feet of the sides of said building, the maximum height permitted shall be 45 feet and 3½ stories.

**Part II:** Amend Section VI, Table I by inserting a new footnote 29 next to the following uses:

Banking machines, as stand-alone structures or where public access is available via drive-up windows or from outside a building

Funeral homes

Building materials salesrooms

Overnight storage, parking, or garaging of commercial vehicles of more than 14,000 pounds gross vehicle weight

and insert the following footnote to Footnotes to Table I:

(29) Prohibited in the Limited Business District in that portion which lies within the Edgemere Village Overlay District.